

### REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated March 11, 2003 (U.S. Patent Office Paper No. 5). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

#### Status of the Claims

As outlined above, claims 1-7, 10-16, and 23-26 are being canceled without prejudice or disclaimer, while claims 8, 17, 18, and 19 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention.

#### Formal Objections or Rejections

Claims 1, 2, 6-10, 11, 14, 17, 20, and 23 are objected to due to an informality.

Applicants have canceled claims 1-7, 10-16, and 23-26 in the present communication with the Office. Regarding the amended form of claims 8, 9, 17, and 20, submitted in this communication, the suggested correction is not necessary to be made.

Claims 6-10, 11, 14, 17, 20, and 23 were objected as dependent from claims 1 and 2 due to the same informality. Applicants reply made above regarding to the objection outlined in the office action on page 2, lines 5 – 7, applies.

#### Prior Art Rejections

Claims 1-4, 6, 11-13, and 23-25 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Yamamoto *et al.*, U.S. Patent No. 5,585,290, (further the '290 reference). Applicants respectfully disagree.

In the present communication with the Office Applicants have canceled claims 1-4, 6, 10, 11 –13, and 23-25. In view of this cancellation, the Examiner's rejection regarding the above referenced claims is rendered moot.

Claims 5, 7, 14-16, and 26 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yamamoto in view of Yudasaka *et al.*, U.S. Patent 5,563,427 (further the '427 reference). Applicants respectfully disagree.

In the present communication with the Office Applicants have canceled claims 5, 7, 14-16, and 26. In view of this cancellation the Examiner's rejection regarding the above referenced claims is rendered moot.

Claims 8 and 17-19 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yamamoto *et al.*, in view of Yamagata *et al.*, U.S. Patent 6,528,824 (further, the '824 reference). Applicants respectfully disagree.

Claims 8, 17, 18, and 19 have been amended in the current communication with the office.

The amended form of claim 8 discloses that dry etching can be used in forming contact holes through the passivation film PSV, whereby the diameter of the contact holes can be reduced and hence the integration density of pixels can be increased.

On the contrary, the '824 reference discloses, regarding embodiment 5, illustrated in Fig. 9 and 10 and made reference by the Examiner:

“As shown in FIG. 9, the current controlling TFT 906 is formed on an insulating surface. By the way, whereas Embodiment 1 has mentioned the structure in which the wiring line for the connection between the current controlling TFT and the transparent electrode is formed after the formation of the first interlayer insulating film, this embodiment will be described on a structure obtained in such a way that the connection wiring line between the current controlling TFT and a transparent electrode is formed after the formation of a first interlayer insulating film, and that the transparent electrode is formed after the formation of a second interlayer insulating film. Besides, a method of fabricating a light-emitting device in this embodiment will be described in detail later. In addition, this embodiment will be described on a case where the transparent electrode is an anode, while a non-transparent electrode is a cathode.

After the formation of the anode 901 which is electrically connected to the current controlling TFT 906 as shown in FIG. 9, a light shield portion 905 is formed out of touch with the anode 901 by sputtering. A material of high reflectivity, such as Al, Ta, Nb, Mo or Ag, is preferable as the

material of the light shield portion 905 on this occasion. In an example of this embodiment, the light shield portion 905 was formed using Ag.

Incidentally, the thickness of a film for forming the light shield portion 905 should preferably be set at 100 nm-800 nm, more preferably at 300 nm-600 nm. Besides, in this embodiment, the anode 901 and the light shield portion 905 need to be formed so as not to touch.

Here in this embodiment, the anode 901 is formed earlier, followed by the formation of the light shield portion 905, but either of the anode 901 and the light shield portion 905 may be formed earlier. Further, after the formation of the anode 901 and the light shield portion 905, an EL layer 902 and the cathode 903 are formed. Lastly, a passivation film 907 made of an insulating material is formed. Then, an EL module is completed. “

It refers to a connection wiring line between the current controlling TFT. A transparent electrode is formed after the formation of a first interlayer insulating film, and that the transparent electrode is formed after the formation of a second interlayer insulating film. The above is illustrated in the reference by Fig. 9 a. The ‘824 reference does not disclose that thin film metal layers are formed on a drain region and a source region, respectively, of the first thin-film transistor and/or each of the second thin-film transistors, and portions of the respective said thin film metal layers are exposed through respective contact holes that are formed through a passivation film that covers thin-film transistor. The ‘824 reference discloses only a connection wiring line instead of a thin film metal layer. The connection wiring line is not a thin film metal layers and does not form under the passivation film.

The ‘290 reference does not disclose either the feature “thin film metal layers”.

The references ‘824 and ‘290, nor singly nor in combination disclose all the features of claim 8. Therefore they do not anticipate claim 8. Applicants respectfully ask the Examiner to withdraw its rejection regarding claim 8 and pass this claim to issue.

The same feature of “thin metal layers” is contemplated identically in claims 17, 18, and 19. Therefore, at least due to the differences outlined above regarding claim 8, between references ‘824 and ‘290 and the claim, claims 17, 18, and 19 are not anticipated by the mentioned references.

Allowable Subject Matter

Applicants thank the Examiner for its indication about the allowability of claims 9 and 20-22.

Claim 9 is dependent from and adds features to allowable claim 8, in its amended form.

The same is valid regarding claims 20, 21, and 22. They also depend from amended allowable independent claims 17, 18, and 19, respectively.

Therefore, Applicants respectfully ask the Examiner to allow the above mentioned claims due to the fact that they are dependent from allowable independent claims and due to reasons contained therein.

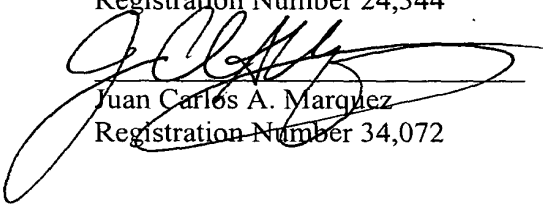
## CONCLUSION

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

  
\_\_\_\_\_  
Juan Carlos A. Marquez  
Registration Number 34,072

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200

**August 6, 2003**